

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 34554

STATE OF IDAHO,)	2008 Unpublished Opinion No. 452
)	
Plaintiff-Respondent,)	Filed: May 7, 2008
)	
v.)	Stephen W. Kenyon, Clerk
)	
JOHN JAY DIAMOND,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Twin Falls County. Hon. Randy J. Stoker, District Judge.

Judgment of conviction and suspended unified sentence of six years, with a minimum period of confinement of three years, for aiding and abetting robbery, affirmed.

Molly J. Huskey, State Appellate Public Defender; Elizabeth A. Allred, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

PER CURIAM

John Jay Diamond was convicted of aiding and abetting robbery, Idaho Code §§ 18-204, -306, -6501, -6502. The district court imposed a unified sentence of six years, with a minimum period of confinement of three years, suspended the sentence and placed Diamond on probation for five years. Diamond appeals, contending that the sentence is excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho

722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Diamond's judgment of conviction and sentence are affirmed.